

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**WSOU INVESTMENTS, LLC D/B/A
BRAZOS LICENSING AND
DEVELOPMENT,
*Plaintiff,***

V.

MICROSOFT CORPORATION,
Defendant.

§
§ **CIVIL ACTION 6:20-cv-00454-ADA**
§ **CIVIL ACTION 6:20-cv-00455-ADA**
§ **CIVIL ACTION 6:20-cv-00456-ADA**
§ **CIVIL ACTION 6:20-cv-00457-ADA**
§ **CIVIL ACTION 6:20-cv-00458-ADA**
§ **CIVIL ACTION 6:20-cv-00459-ADA**
§ **CIVIL ACTION 6:20-cv-00460-ADA**
§ **CIVIL ACTION 6:20-cv-00461-ADA**
§ **CIVIL ACTION 6:20-cv-00462-ADA**
§ **CIVIL ACTION 6:20-cv-00463-ADA**
§ **CIVIL ACTION 6:20-cv-00464-ADA**
§ **CIVIL ACTION 6:20-cv-00465-ADA**

**DECLARATION OF TARA EAVES IN SUPPORT OF MICROSOFT CORPORATION'S
MOTION TO TRANSFER VENUE TO AUSTIN DIVISION**

I, Tara Eaves, declare as follows:

1. I am employed as a Human Resources Data Analyst Group Manager at Microsoft Corporation (“Microsoft”). I am based in Redmond, Washington, where I manage a team of reporting analysts within Human Resources. I have been employed by Microsoft since 1997.

2. I submit this declaration in support of Microsoft’s Motion for Intra-District Transfer to the Austin Division of the Western District of Texas. Unless otherwise indicated, the statements in this declaration are based upon my personal knowledge and/or based on corporate records maintained by Microsoft in the ordinary course of business.

3. I have been informed and understand that Plaintiff WSOU Investments LLC (“Plaintiff”) has filed the above-captioned patent infringement lawsuit against Microsoft in the Waco Division of the Western District. I am further informed and understand that the Waco Division of the Western District includes the following counties: Bell, Bosque, Coryell, Falls, Freestone, Hamilton, Hill, Leon, Limestone, McLennan, Milam, Robertson, and Somervell.

4. I am further informed and understand that there are a total of twelve patent infringement cases filed by Plaintiff in the Waco Division and that these cases accuse various Microsoft products of infringing certain United States patents. I understand the accused products include certain aspects of Microsoft’s Azure Cloud System, Xbox, Skype, Teams, HoloLens, and Windows Server.

5. Microsoft is a Washington corporation with its worldwide headquarters at One Microsoft Way in Redmond, Washington.

6. Microsoft does not maintain any office space or business location in the Waco Division of the Western District of Texas.

7. There are 188 Microsoft personnel that work at Microsoft facilities in Austin, Texas.

8. Microsoft's engineering, sales, and financial documents are primarily located in Redmond, Washington. Microsoft is not aware of any documents related to the accused products located in the Waco Division. Microsoft has no data centers in the Waco Division. There are 20 employees in Marketing groups in the state of Texas, with none who work in Waco and 11 who work in Austin.

9. I reviewed Microsoft's Human Resources records for the Skype Infrastructure organization. Based on my review, I found no personnel that are part of the Skype Infrastructure organization in Austin. There are no Skype or Teams personnel in the Waco Division. Based on my review of Human Resources records, there is one employee in the Marketing group for Skype or Teams in the state of Texas, who is located in Dallas. There are none in Austin. Strategic decision making regarding Skype and Teams happens in the state of Washington.

10. I reviewed Microsoft's Human Resources records for the COSinE organization. Based on my review, there are three personnel in Austin who are part of the COSinE organization. There are no Windows Server personnel in the Waco Division. Based on my review of Human Resources records, there are no employees in the Marketing group for Windows Server in the state of Texas. Strategic decision making regarding Windows Server happens in the state of Washington.

11. I reviewed Microsoft's Human Resources records for the Mixed Reality organization. Based on my review, there are two personnel that are part of the Mixed Reality organization in Austin. There are no HoloLens personnel in the Waco Division. Based on my review of Human Resources records, there are no

employees in the Marketing group for HoloLens in the state of Texas. Strategic decision making regarding HoloLens happens in the state of Washington.

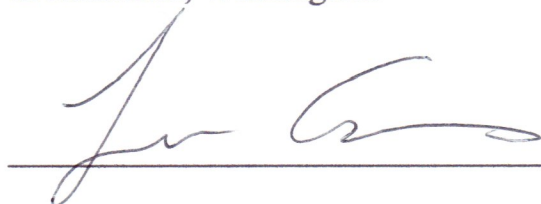
12. I reviewed Microsoft's Human Resources records for Azure Core. In reviewing Microsoft's Human Resources records, the total number of employees under the Azure Core organization in Austin is 20, whereas 7,801 are located in Redmond, Washington. There are no Azure personnel in the Waco Division. Based on my review of Human Resources records, there are no employees in the Marketing group for Azure in the state of Texas. Strategic decision making regarding Azure happens in the state of Washington.

13. I reviewed Microsoft's Human Resources records for Xbox. Based on my review, there are no personnel that are part of Xbox in Austin. There are no Xbox personnel in the Waco Division. Based on my review of Human Resources records, there are no employees in the Marketing group for Xbox in the state of Texas. Strategic decision making regarding Xbox happens in the state of Washington.

14. Based on my review of the Human Resources records for all Texas Microsoft employees, there are two Microsoft personnel with home offices in the Waco division. One is located in Waco, and is in the digital sales, sales academy, and learning and development group. The second is a customer success account manager in sales and marketing. Neither is part of the organizations mentioned above.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct .

Executed on October 2, 2020 in Redmond, Washington.

A handwritten signature in dark ink, appearing to read 'Tara Eaves', is written over a horizontal line.

Tara Eaves